

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:23-cv-140-HSO-BWR

\$18,500.00 IN U.S. CURRENCY IN THE
FORM OF A BANK OF AMERICA
CASHIER'S CHECK

DEFENDANT PROPERTY

FINAL JUDGMENT OF FORFEITURE

Before the Court is Plaintiff United States of America's Motion for Final Judgment of Forfeiture [12]. Having considered the motion and the relevant authorities, the Court finds that the relief the United States seeks should be GRANTED. The Court further finds and adjudicates as follows:

1. On June 12, 2023, the United States filed the instant civil forfeiture action alleging that the Defendant Currency is forfeitable pursuant to 18 U.S.C. § 981(a)(1)(A), (C), and (D).

2. On June 14, 2023, the United States sent the Notice of Complaint for Forfeiture [2] and a copy of the Verified Complaint [1] by FedEx to R.T. and Susan Becker. *See* Proof of Service, ECF No. 10.

3. On June 28, 2023, the United States Federal Bureau of Investigation ("FBI") arrested the Defendant Currency pursuant to a Warrant of Arrest in Rem [4]. *See* Executed Warrant of Arrest in Rem, ECF No. 9. On August 4, 2023, FedEx provided the FBI with a replacement check for the check originally seized from Susan Becker.

4. Pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of this civil forfeiture action was posted on an official internet government website, www.forfeiture.gov, from July 25, 2023, through August 23, 2023. *See* Proof of Publication, ECF No. 11.

5. The aforementioned publication and direct notices informed R.T., Susan Becker, and all other persons or entities, known or unknown, having or claiming an interest in the Defendant Currency that the Defendant Currency had been arrested and that this instant civil forfeiture action was pending. The publication and direct notices also informed said persons and entities that they had thirty-five (35) days after being sent direct notice or sixty (60) days after the first date of the published notice to file a claim, and twenty-one (21) days thereafter to file an answer. Furthermore, the notice referred any such persons or entities to Rule G(5) of the Supplemental Rules of Admiralty and Maritime Claims and Asset Forfeiture Actions, and warned that if these Supplemental Rules were not strictly followed, the Court could strike any claim and answer and enter default judgment of forfeiture or summary judgment against any improperly claimed interest in the Defendant Currency.

6. The United States took all reasonable measures to ensure that R.T., Susan Becker, and all other possible claimants received such notice in a timely fashion.

7. R.T. (hereinafter, “Claimant”) timely filed a Verified Claim [5] and Answer [7] with the Court, asserting ownership of the Defendant Currency, and contesting its judicial forfeiture. No other claims have been filed.

8. The United States has reviewed Claimant’s Verified Claim [5] and Answer [7], conferred with the investigating agency, and upon a full review, is convinced that R.T.’s claim to the Defendant Currency is legitimate and appropriate. Furthermore, the United States and Claimant have entered into a Stipulated Settlement Agreement—filed separately *under seal* as Exhibit A [15]—stating that the Defendant Currency should be returned to Claimant R.T., having sufficiently established himself as an “innocent owner” of the Defendant Currency pursuant to 18 U.S.C. § 983(d) without opposition.

IT IS, THEREFORE, ORDERED AND ADJUDGED THAT:

a. Final Judgment of Forfeiture in favor of Claimant R.T. is hereby granted with regard to

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| 23-FBI-005568 | \$18,500.00 in U.S. Currency seized in the form of a Bank of America cashier’s check in the name of Becker Marquerite, replaced with Bank of America cashier’s check number 0001302868 made payable to the U.S. Marshals Service in the amount of \$18,500.00 |
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b. Any administrative claims or interests therein of any other entities or persons, and any other possible claimant are hereby canceled.

c. All right, title, and interest to the listed assets is hereby vested in R.T., who shall take free and clear title to the Defendant Currency.

d. The U.S. Marshals Service and/or the Federal Bureau of Investigation shall act with all due diligence to return the Defendant Currency to Claimant as soon as practicable and in accordance with applicable law and regulations.

e. The United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

f. The United States District Court shall amend this Order, as needed.

SO ORDERED AND ADJUDGED, this 28th day of September 2023.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE